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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/765,763	01/19/2001	Roger P. Hoffman	P/2-89	9720
7590	10/01/2004		EXAMINER	
Philip M. Weiss Weiss & Weiss 500 Old Country Road, Suite 305 Garden City, NY 11530			BORISOV, IGOR N	
			ART UNIT	PAPER NUMBER
			3629	

DATE MAILED: 10/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/765,763	HOFFMAN, ROGER P.
Examiner	Art Unit	
Igor Borissov	3629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 21 June 2004.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-17 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-17 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-2, 4-5, 7, 9-13 and 16 are rejected under 35 U.S.C. 102(e) as being anticipated by Chipman et al. (US 6,292, 894).

Chipman et al. teach a method and system for retrieving, organizing and utilizing networked data, comprising:

As per claim 1,

an industry related portal (column 4, lines 10-17);
a second portal of a different industry (column 4, lines 10-17);
said system integrating said portals so that a user can view information relating to both portals in a single system (column 2, lines 46-54; column 3, lines 51-65).

As per claim 2, said method and system, wherein said user can order part or services (column 12, lines 40-41).

As per claims 4-5 and 9, said method and system, further comprising a search engine (column 6, line 63 – column 7, lines 14).

As per claim 7, said method and system, further comprising product specification information (column 9, lines 56-63).

As per claim 10, said method and system, wherein the integrated portal system is created based on entering job characteristics of a user (column 7, lines 37-56).

As per claim 11, said method and system, comprising an industrial database comprising a search engine; said database having product or service specifications, product reports product and a system for answering questions from a user (column 5, lines 59-62; column 6, line 63 – column 7, lines 14; column 10, lines 26-34).

As per claims 12-13, said method and system, comprising a list of vendors and vendor product information (column 9, lines 36-65).

As per claim 16, said method and system, wherein said database provides a price analysis mechanism (column 12, lines 37-38).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3, 8, 14-15 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chipman et al.

As per claims 3, 8 and 17, Chipman et al. teach all the limitations of claims 3, 8 and 17, including a governing portal for each industry, and other portals in that industry, except specifically teaching that said portals include a mini portal and macro portal.

However, these differences are only found in the nonfunctional descriptive material and are not functionally involved in the steps recited. The functions performed by said system would be the same regardless of the definition of other portals. Thus, this descriptive material will not distinguish the claimed invention from the prior art in terms of patentability, see *In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *In re Lowry*, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994).

As per claims 14 and 15, Chipman et al. teach all the limitations of claims 14 and 15, including a database including a template specifying the supplied products and processes (column 10, lines 25-30), except that said template is a characteristic or usage template.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Chipman et al. to include that said template is a characteristic or usage template, because it appears that the claimed features do not distinguish the invention over similar features in the prior art, and the teachings of Chipman et al. would perform the invention as claimed by the applicant with either specifically teaching a characteristic or usage template, or not.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chipman et al. in view of Rangan (US 6,412,073).

As per claim 6, Chipman et al. teach said method and system, including ontology tracking component (column 11, lines 35-37).

Chipman et al. do not specifically teach that the ontology tracking component includes transaction-tracking component.

Rangan teaches a method and system for user-interactive portals accessible via the Internet, wherein a facility is provided for automatically tracking transactions made at various destinations (column 8, lines 20-21).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Chipman et al. to include transaction tracking component, as disclosed in Rangan, because it would advantageously enhance the capability of doing business via said portals.

Response to Arguments

Applicant's arguments filed 06/21/2004 have been fully considered but they are not persuasive.

In response to applicant argument that Chipman et al. (Chipman) teaches a portal which relates to only one industry, and does not relate to multiple industries, it is noted that Chipman explicitly teaches a plurality of various industries. Specifically, an advantage of Chipman's system is shown as overcoming the existing problem of current design which does not allow to integrate various electronic tools in such application fields (sectors) as computer aided design, structural analysis, costing, manufacturing, planning, etc. Furthermore, Chipman teaches: "*The problems associated with the current design and manufacturing model exist in other industry sectors as well. For example, the real estate industry uses as its primary search and indexing tool the multiple listing service (MLS). However...there is no ability to link to other sources of other information, for example, financial institutions providing loan information*" (C. 2, L. 2-20).

In response to applicant argument that Chipman does not teach creating portal system based on job characteristics entered by the user, the Examiner point out that Chipman specifically teaches this feature (See C. 7, L. 37-56).

In response to applicant argument that Chipman does not teach product specification information, the Examiner maintains that Chipman does, in fact, teach this feature. Specifically, Chipman teaches "*the information which a supplier may have on his site may include ...CAD drawings, performance specifications, links to the supplier's online ordering system and technical data*" (C. 9, L. 53-65).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication should be directed to Igor Borissov at telephone number (703) 305-4649.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Receptionist whose telephone number is (703) 872-9306.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's Supervisor, John Weiss, can be reached at (703) 308- 2702.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington D.C. 20231

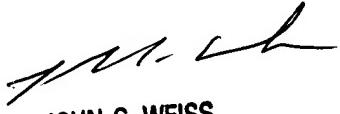
or faxed to:

(703) 872-9306 [Official communications; including After Final communications labeled "Box AF"]

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington, VA, 7th floor receptionist.

IB

9/27/2004


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